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November 18, 2024

VIA ECF

Honorable Analisa Torres
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Bah v. City of New York,
20 Civ. 263 (AT) (KHP)

Your Honor:

I represent—and am trial counsel for—defendant the City of New York in the above-referenced matter. The City writes jointly with plaintiff pursuant to the Court’s Order dated November 14, 2024 (ECF No. 111).

By way of background, on November 14, 2024, the Court issued an Order scheduling trial for December 10, 2024, and directing the parties to file a joint letter “describing what issues will be tried and proposing a motions schedule” by November 18, 2024 (Id.).

As an initial matter, the parties respectfully request an adjournment of trial. The first reason for this request is that plaintiff is speaking at the National Immigrant Inclusion Conference (“NIIC”) taking place in Houston, Texas from December 8-10, 2024, with plaintiff scheduled to fly to Texas on December 7 and return to New York City on December 11 (*see* <https://niic.org/speakers-2024>).¹ Ms. Bah relies on fundraising from the NIIC Conference to support the charity she founded. Additionally, the City is diligently attempting to ascertain the availability of its own witnesses—including two 30(b)(6) witnesses, one of whom is retired—but has not yet been able to do so. Furthermore, I am currently scheduled to begin trial in another federal matter on December 2, 2024. Even if that trial were to conclude before December 10, 2024, it will severely impact my ability to properly prepare for trial in this matter. This is also complicated by the fact that I am scheduled to be on leave and out of state November 20-24, 2024.

¹ Plaintiff also respectfully notes that she is scheduled to attend a post-surgical follow-up for her daughter on December 18.

Plaintiff's counsel is also scheduled to travel out of state from November 27, 2024 – December 1, 2024, and December 12-15 and 21-25.

With respect to the issues to be tried, remaining for trial are plaintiff's RLUIPA and federal and state free exercise claims against the City of New York only. Insofar as the Court grants the parties' joint request for adjournment, the parties respectfully request that the Court permit the parties to file a proposed joint pretrial order on or before January 31, 2024—which accounts for the upcoming holidays and also triggers the deadline to file other pretrial documents pursuant to the Court's Individual Rules—and set a trial date on or after March 1, 2025 (except for April 21, 2025 – May 2, 2025).

The parties also respectfully inform the Court that they are engaged in ongoing good faith settlement discussions.

Accordingly, the parties respectfully request an adjournment of trial. Thank you for your time and consideration.

Respectfully submitted,

/s/ Zachary Kalmbach

Zachary Kalmbach

Senior counsel

cc: Via ECF
All counsel of record

GRANTED. Accordingly:

1. Trial will begin on **April 1, 2025**. The parties are directed to consult Rule V of the Court's Individual Practices in Civil Cases.
2. The parties shall file their motions *in limine*, if any, by **February 18, 2025**. Opposition papers are due by **February 28, 2025**.
3. The parties shall submit joint proposed voir dire questions, requests to charge, and verdict forms by **March 7, 2025**. For any proposed voir dire question, request to charge, or section of the verdict form on which the parties cannot agree, each party shall clearly set forth its proposal and briefly state why the Court should use that question, charge, or verdict form section, with citations to supporting authority. The parties shall include with their proposed voir dire questions a brief description of the case and a list of names and places likely to be mentioned at trial, both to be read to prospective jurors during jury selection.
4. The final pretrial conference shall occur on **March 17, 2025**, at **3:00 p.m.** in Courtroom 15D of the United States Courthouse, 500 Pearl Street, New York, New York 10007.

SO ORDERED.

Dated: November 19, 2024
New York, New York



ANALISA TORRES
United States District Judge